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OFFICE OF PETITIONS

In re Application of :
Steve W. L. Yeung, et al :
Application No. 09/678,058 : DECISION GRANTING PETITION
Filed: October 2, 2000 : UNDER 37 CFR 1.137(b)
Attorney Docket No. 025821.P028 :

This is a decision on the petition under 37 CFR 1.137(b), filed July 19, 2004, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to properly reply within the meaning of 37 CFR 1.113 in a timely manner to the final Office action mailed November 10, 2003, which set a shortened statutory period for reply of three (3) months. A three month extension of time under the provisions of 37 CFR 1.136(a) was obtained. Accordingly, the above-identified application became abandoned on May 11, 2004.

37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. Since the statement contained in the instant petition varies from the language required by 37 CFR 1.137(b)(3), the statement contained in the instant petition is being construed as the statement required by 37 CFR 1.137(b)(3) and petitioner must notify the Office if this is **not** a correct interpretation of the statement contained in the instant petition.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of an RCE with a submission in the form of a previous amendment filed on May 10, 2004; (2) the petition fee; and (3) an adequate statement of unintentional delay have been received.

Accordingly, the reply to the final Office action of November 10, 2003 is accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to the undersigned at (703) 305-8680.

The application file is being forwarded to Technology Center AU 2673 for processing of the RCE filed July 19, 2004 and for consideration of the amendment filed May 10, 2004.

A handwritten signature in cursive script, reading "Frances Hicks".

Frances Hicks
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy